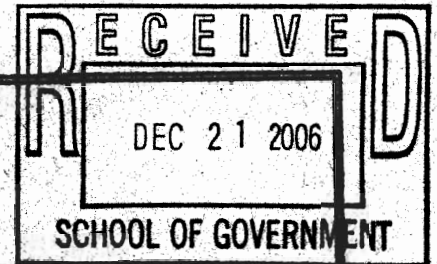


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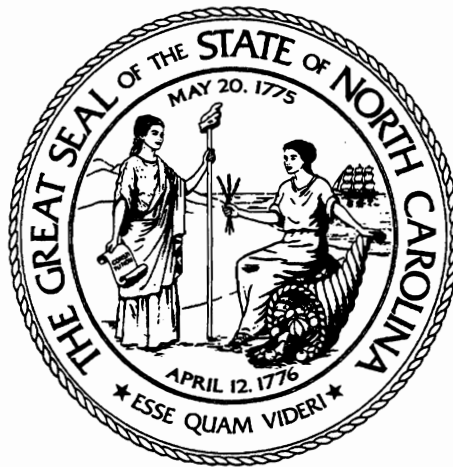
# **GENERAL ASSEMBLY of NORTH CAROLINA LEGISLATIVE MANUAL**



**Issued by  
Legislative Services Office**

**First 2007 Edition - December, 2006**

**GENERAL ASSEMBLY**  
**of**  
**NORTH CAROLINA**  
**LEGISLATIVE MANUAL**



**Issued for the 2007 General Assembly**

**by**

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## INTRODUCTION

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This Manual provides information to the members of the General Assembly on arrangements that the Legislative Services Commission has made for various legislative services. The Manual is completely revised each biennium and is supplemented as necessary for the legislative sessions within the biennium. The basic statutory authorization for the Legislative Services Commission is set out beginning on page 3 of this Manual.

The Legislative Services Commission was established by statute in 1969 to provide a continuing structure through which decisions concerning legislative services may be made and implemented. The Commission consists of the President Pro Tempore of the Senate, seven Senators appointed by him/her, the Speaker of the House of Representatives, and seven Representatives appointed by him/her. Upon the convening of each regular biennial legislative session, the newly elected President Pro Tempore and Speaker may appoint new members to the Commission at any time. The Legislative Services Officer serves as chief staff officer for the Commission.

If you have criticisms or suggestions as to the plans and procedures set out in this Manual, please communicate them to the Legislative Services Officer (919-733-7044) who will transmit them to the Commission.

[For purposes of this Manual, "session" means the period in which the General Assembly meets regularly upon day-to-day adjournment; it does not include the interim period between portions of the biennial session.]



**GENERAL STATUTES OF NORTH CAROLINA**  
**Chapter 120 – The General Assembly**  
**ARTICLE 7.**

Legislative Services Commission.

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**§ 120-31. Legislative Services Commission organization.**

(a) The Legislative Services Commission shall consist of the President pro tempore of the Senate, seven Senators appointed by the President pro tempore of the Senate, the Speaker of the House of Representatives, and seven Representatives appointed by the Speaker of the House of Representatives. The President pro tempore of the Senate, and the Speaker of the House shall serve until the selection and qualification of their respective successors as officers of the General Assembly. The initial appointive members shall be appointed after the date of ratification of this Article and each shall serve for the remainder of his elective term of office and until his successor is appointed or until he ceases to be a member of the General Assembly, whichever occurs first. A vacancy in one of the appointive positions shall be filled in the same manner that the vacated position was originally filled, and the person so appointed shall serve for the remainder of the unexpired term of the person whom he succeeds. In the event the office of Speaker becomes vacated, the seven Representatives shall elect one of themselves to perform the duties of the Speaker as required by this Article. In the event the office of President pro tempore becomes vacated, the seven Senators shall elect one of themselves to perform the duties of President pro tempore as required by this Article. Members so elevated shall perform the duties required by this Article until a Speaker or a President pro tempore is duly elected by the appropriate house.

(b) The President pro tempore of the Senate shall be the chairman of the Commission in odd-numbered years and the Speaker of the House of Representatives shall be chairman of the Commission in even-numbered years.

(c) The Commission may elect from its membership such other officers as it deems appropriate, and may appoint other members of the General Assembly to serve on any committee of the Commission.

(d) The Commission may adopt rules governing its own organization and proceedings.

(e) Members of the Commission, when the General Assembly is not in session, shall be reimbursed for subsistence and travel allowance as provided for members of the General Assembly when in session for such days as they are engaged in the performance of their duties. (1969, c. 1184, s. 1; 1971, c. 1116, ss. 1-3; 1999-431, s. 3.6(a).)

**§ 120-32. Commission duties.**

The Legislative Services Commission is hereby authorized to:

- (1) Determine the number, titles, classification, functions, compensation, and other conditions of employment of the joint legislative service employees of the General Assembly, including but not limited to the following departments:
  - a. Legislative Services Officer and personnel,
  - b. Electronic document writing system,
  - c. Proofreaders,
  - d. Legislative printing,
  - e. Enrolling clerk and personnel,
  - f. Library,
  - g. Research and bill drafting,
  - h. Printed bills,
  - i. Disbursing and supply;Temporary employees of the General Assembly are exempt from the provisions of G.S. 135-3(8)c., as to compensation earned in that status.
- (2) Determine the classification and compensation of employees of the respective houses other than staff elected officers; however, the hiring of employees of each house and their duties shall be prescribed by the rules and administrative regulations of the respective house;
- (3) Acquire and dispose of furnishings, furniture, equipment, and supplies required by the General Assembly, its agencies and commissions and maintain custody of same between sessions. It shall be a Class 1 misdemeanor for any person(s) to remove any state-owned furniture,



- fixtures, or equipment from the State Legislative Building for any purpose whatsoever, except as approved by the Legislative Services Commission;
- (4) Contract for services required for the operation of the General Assembly, its agencies, and commissions; however, any departure from established operating procedures, requiring a substantial expenditure of funds, shall be approved by appropriate resolution of the General Assembly;
  - (5)
    - a. Provide for engrossing and enrolling of bills,
    - b. Appoint an enrolling clerk to act under its supervision in the enrollment and ratification of acts;
  - (6)
    - a. Provide for the duplication and limited distribution of copies of ratified laws and joint resolutions of the General Assembly and forward such copies to the persons authorized to receive same,
    - b. Maintain such records of legislative activities and publish such documents as it may deem appropriate for the operation of the General Assembly;
  - (7)
    - a. Provide for the indexing and printing of the session laws of each regular, extra or special session of the General Assembly and provide for the printing of the journal of each house of the General Assembly,
    - b. Provide and supply to the Secretary of State such bound volumes of the journals and session laws and of these publications in electronic format as may be required by the Secretary of State to be distributed under the provisions of G.S. 147-45, 147-46.1 and 147-48.
  - (8) Repealed by Session Laws 1985 (Regular Session, 1986), c. 1014, s. 40(c).
  - (9) To establish a bill drafting division to draft bills at the request of members or committees of the General Assembly.
  - (10) To select the locations for buildings occupied by the General Assembly, and to name any building occupied by the General Assembly.
  - (11) To specify the uses within the General Assembly budget of funds appropriated to the General Assembly which remain available for expenditure after the end of the biennial fiscal period, and to revert funds under G.S. 143C-1-2.
  - (12) Provide insurance to provide excess indemnity for any occurrence which results in a claim against any member of the General Assembly, as provided in G.S. 143-300.2 through G.S. 143-300.6. That insurance may not provide for any indemnity to be payable for any claim not covered by the above cited statutes, nor for any criminal act by a member, nor for any act committed by a member or former member prior to the inception of insurance.
  - (13) Provide insurance to provide excess indemnity for any occurrence that results in a claim against any employee, officer, or committee, subcommittee, or commission member in the legislative branch other than a member of the General Assembly, as provided in G.S. 143-300.2 through G.S. 143-300.6. That insurance may not provide for any indemnity to be payable for any claim not covered by the above cited statutes, nor for any criminal act, nor for any act committed prior to the inception of insurance. (1969, c. 1184, s. 2; 1971, c. 685, s. 2; c. 1200, s. 8; 1977, c. 802, s. 50.60; 1981 (Reg. Sess., 1982), c. 1191, s. 67; 1983 (Reg. Sess., 1984), c. 1034, s. 182; 1985, c. 479, s. 176(a), (b); 1985 (Reg. Sess., 1986), c. 1014, s. 40(c); 1993, c. 539, s. 912; 1994, Ex. Sess., c. 24, s. 14(c); 2001-424, s. 32.21A(a); 2001-513, s. 16(c).); 2006-203, s. 59.

**§ 120-32.01. Information to be supplied.**

(a) Every State department, State agency, or State institution shall furnish the Legislative Services Office and the Research, Fiscal Research, and Bill Drafting Divisions any information or records requested by them. Except when accessibility is prohibited by a federal statute, federal regulation or State statute, every State department, State agency, or State institution shall give the Legislative Services Office and the Fiscal Research Division access to any data base or stored information maintained by computer, telecommunications, or other electronic data processing equipment, whether stored on tape, disk, or otherwise, and regardless of the medium for storage or transmission.

(b) Notwithstanding subsection (a) of this section, access to the State Personnel Management Information System by the Research and Bill Drafting Divisions shall only be through the Fiscal Research Division. (1983 (Reg. Sess., 1984), c. 1034, s. 177; 1996, 2nd Ex. Sess., c. 18, s. 8.2.)

**§ 120-32.02. Legislative commissions' and committees' employees and consultants.**

(a) In the construction of a statute creating, continuing, or modifying a commission or committee whose funds are appropriated or transferred to the General Assembly or to the Legislative Services Commission for disbursement, unless that construction would be inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute, the creation, continuation, or modification of the commission or committee shall not be construed as a grant of authority to the commission or committee to hire its own employees or to contract for consultant or other services.

(b) Notwithstanding any other provision of law, a commission or committee whose funds are appropriated or transferred to the General Assembly or to the Legislative Services Commission for disbursement and which has the power to contract for consultants or hire employees, or both, may contract for consultants, or hire employees, or both, only upon the prior approval of the Legislative Services Commission. A contract for employment or consultant services by such a commission or committee is void and unenforceable unless approved by the Legislative Services Commission prior to the contract being entered into.

(c) This section shall not apply to contracts of employment or for consultant services for standing or select committees of either house of the General Assembly, or subcommittees thereof, which shall be entered into by either the Speaker of the House or the President Pro Tempore of the Senate, as appropriate, and governed by the provisions of G.S. 120-35. (1987 (Reg. Sess., 1988), c. 1100, s. 9.1.)

**§ 120-32.03. Grants and contributions to legislative commissions and committees.**

(a) In the construction of a statute creating, continuing, or modifying a commission or committee whose funds are appropriated or transferred to the General Assembly or to the Legislative Services Commission for disbursement, unless that construction would be inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute, the creation, continuation, or modification of the commission or committee shall not be construed as a grant of authority to the commission or committee to apply for, receive or accept grants, loans, and advances of non-State funds, or to receive and accept contributions from any source, of money, property, labor, or any other thing of value in order for it to conduct its work.

(b) Notwithstanding any other provision of law, a commission or committee whose funds are appropriated or transferred to the General Assembly or to the Legislative Services Commission for disbursement may, only with specific approval of the Legislative Services Commission, apply for, receive, or accept grants and contributions, from any source, of money, property, labor, or any other thing of value, to be held and used for the purposes set forth in the act creating the commission or committee. Any thing of value remaining at the termination of the commission or committee shall be deposited with the Legislative Services Commission to be employed for the use of the General Assembly. (1987 (Reg. Sess., 1988), c. 1100, s. 9.1.)

**§ 120-32.1. Use and maintenance of buildings and grounds.**

(a) The Legislative Services Commission shall:

- (1) Establish policy for the use of the State legislative buildings and grounds;
- (2) Maintain and care for the State legislative buildings and grounds, but the Commission may delegate the actual work of the maintenance of those buildings and grounds to the Department of Administration, which shall perform the work as delegated;
- (3) Provide security for the State legislative buildings and grounds;
- (4) Allocate space within the State legislative buildings and grounds; and
- (5) Have the exclusive authority to assign parking space in the State legislative buildings and grounds.

(b) The Legislative Services Officer shall have posted the rules adopted by the Legislative Services Commission under the authority of this section in a conspicuous place in the State Legislative Building and the Legislative Office Building. The Legislative Services Officer shall have filed a copy of the rules, certified by the chairman of the Legislative Services Commission, in the office of the Secretary of State and in the office of the Clerk of the Superior Court of Wake County. When so posted and filed, these rules shall constitute notice to all persons of the existence and text of the rules. Any person, whether on his own behalf or for another, or acting as an agent or

representative of any person, firm, corporation, partnership or association, who knowingly violates any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor. Any person, firm, corporation, partnership or association who combines, confederates, conspires, aids, abets, solicits, urges, instigates, counsels, advises, encourages or procures another or others to knowingly violate any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor.

(c) The Legislative Services Commission may cause to be removed at the owner's expense any vehicle parked in the State legislative buildings and grounds in violation of the rules of the Legislative Services Commission and may cause to be removed any vehicle parked in any State-owned parking space leased to an employee of the General Assembly where the vehicle is parked without the consent of the employee to whom the space is leased.

(d) For the purposes of this section, the term "State legislative buildings and grounds" means:

(1) At all times:

- a. The State Legislative Building;
- a1. Repealed by Session Laws 1998-156, s. 1, effective September 24, 1998.
- a2. The areas between the outer walls of the State Legislative Building and the far curblin of those sections of Jones, Wilmington, Salisbury, and Lane Streets that border the land on which it is situated;
- b. The Legislative Office Building, which shall include the following areas:
  1. The garden area and outer stairway;
  2. The loading dock area bounded by the wall on the east abutting the State Government Mall, the southern edge of the southernmost exit lane on Salisbury Street for the parking deck, and the Salisbury Street sidewalk;
  3. The area between its outer wall and the near curblin of that section of Lane Street that borders the land on which it is situated; and
  4. The area bounded by its western outer wall, the extension of a line along its northern outer wall to the middle of Salisbury Street, following the middle line of Salisbury Street to the nearest point of the intersection of Lane and Salisbury Streets, and thence east to the near curblin of the Legislative Office Building at its southwestern corner;
- c. Any State-owned parking lot which is leased to the General Assembly;
- d. The bridge between the State Legislative Building and the Halifax Street Mall; and
- e. A portion of the brick sidewalk surface area of the Halifax Street Mall, described as follows: beginning at the northeast corner of the Legislative Office Building, thence east across the brick sidewalk to the inner edge of the sidewalk adjacent to the grassy area of the Mall, thence south along the inner edge of the sidewalk to the southwest outer corner of the grassy area of the Mall, thence east along the inner edge of the sidewalk adjacent to the southern outer edge of the grassy area of the Mall to a point north of the northeast corner of the pedestrian surface of the Lane Street pedestrian bridge, thence south from that point to the northeast corner of the pedestrian surface of the bridge, thence west along the southern edge of the brick sidewalk area of the Mall to the southeast corner of the Legislative Office Building, thence north along the east wall of the Legislative Office Building, to the point of beginning; and
- f. From the center of Lane Street to the far curblin on the south side of the street; between the western edge of the Lane Street driveway to the gardens behind the State Records Center, and Wilmington Street.

(2) Repealed by Session Laws 1998-156, s. 1, effective September 24, 1998. (1973, c. 99, s. 1; 1975, c. 145, s. 3; 1981, c. 772, ss. 3, 4; 1991 (Reg. Sess., 1992), c. 1044, s. 7(a); 1993, c. 539, s. 913; 1994, Ex. Sess., c. 24, s. 14(c); 1996, 2nd Ex. Sess., c. 18, ss. 8(c), 8.1; 1998-156, s. 1; 2003-284, s. 19B.2, 2006-264, s. 60.)

#### **§ 120-32.1A. Evacuation of legislative buildings and grounds.**

The Chief of the General Assembly Police, or the Chief's designee, shall exercise at all times those means that, in the opinion of the Chief, or the Chief's designee, may be effective in protecting the State legislative buildings and grounds and the persons within those buildings and grounds from fire, bombs, bomb threats, or any other emergency or potentially hazardous conditions, including both the ordering and control of the evacuation of those buildings and

grounds. The Chief, or the Chief's designee, may employ the assistance of other available law enforcement agencies and emergency agencies to aid and assist in evacuations of the legislative buildings and grounds. (1997-112, s. 2.)

**§ 120-32.2. General Assembly special police.**

(a) All sworn members of the General Assembly special police employed by the Legislative Services Office are special policemen, and have all the powers of policemen of cities, within any of the following areas of jurisdiction, while on official duty:

- (1) Within those areas of the City of Raleigh and of the unincorporated parts of Wake County surrounded by the innermost right-of-way of Interstate 440.
- (2) In any part of the State:
  - a. While accompanying a member of the General Assembly who is conducting, or traveling to or from, his or her official duties.
  - b. While preparing for, or providing security to, a session of either or both houses of the General Assembly, or official events directly related to that session.

(b) General Assembly special police officers may arrest persons outside the areas described in subsection (a) of this section when the person arrested has committed a criminal offense within any of the areas, for which the officer could have arrested the person within that area, and the arrest is made during such person's immediate and continuous flight from that area.

(c) The General Assembly special police has the exclusive authority and responsibility for enforcing the parking rules of the Legislative Services Commission. (1975, c. 145, s. 1; 1981, c. 772, s. 5; 1991 (Reg. Sess., 1992), c. 1044, s. 7(b); 2005-359, s. 1.)

**§ 120-32.3. Oath of General Assembly special police.**

Before exercising the duties of a special policeman, each General Assembly special police officer shall take an oath before some officer empowered to administer oaths, and the oaths shall be filed with the Clerk of Superior Court of Wake County. The oath of office shall be as follows:

"State of North Carolina, Wake County.

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I will well and truly execute the duties of General Assembly special policeman in the State Legislative Building and other buildings and grounds subject to the jurisdiction of the Legislative Services Commission and in other areas designated by law, according to the best of my skill and ability and according to law; and that I will use my best endeavors to enforce all rules and regulations of the Legislative Services Commission concerning use of those buildings and grounds and all laws of the State of North Carolina. So help me, God.

"Sworn and subscribed to before me, this the \_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_"  
(1975, c. 145, s. 2; 1981, c. 772, s. 6; 2005-359, s. 2.)

**§ 120-32.4. Subpoena and contempt powers.**

The provisions of G.S. 120-19.1 through 120-19.4 shall apply to the proceedings of the Legislative Services Commission as if it were a joint committee of the General Assembly. (1977, c. 344, s. 5.)

**§ 120-32.5. Leave for temporary employees.**

Temporary part-time or full-time employees of the General Assembly who have four years of aggregate employment with the General Assembly (temporary or permanent) shall receive the same holidays, vacation leave, and sick leave as permanent part-time or full-time employees of the General Assembly respectively, or as may be determined by the Legislative Services Commission. (1983, c. 923, s. 217.)

**§ 120-32.6. Certain employment authority.**

G. S. 114-2.3 and G.S. 147-17 shall not apply to the General Assembly. (2006-201, s.3.)

**§ 120-33. Duties of enrolling clerk.**

(a) All bills passed by the General Assembly shall be enrolled for ratification under the supervision of the enrolling clerk.

(b) Prior to enrolling any bill, the enrolling clerk shall substitute the corresponding Arabic numeral(s) for any date or section number of the General Statutes or of any act of the General Assembly which is written in words. The enrolled bill shall have the word "RATIFIED" following the bill number.

(c) All bills shall be typewritten and carefully proofread before enrollment.

(d) Upon ratification of an act or joint resolution, the enrolling clerk shall present one true ratified copy:

- (1) To the Governor of any act except acts not required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina; and
- (2) To the Secretary of State of:
  - a. Acts not required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina; and
  - b. Joint resolutions.

In the case of any bill presented to the Governor, the enrolling clerk shall write upon the bill the time and date presented to the Governor.

(d1) The enrolling clerk shall present to the Secretary of State one true ratified copy of:

- (1) Any bill which has become law with the approval of the Governor as provided by G.S. 120-29.1(a);
- (2) Any bill which has become law without the approval of the Governor as provided by G.S. 120-29.1(b); and
- (3) Any bill which has become law notwithstanding the objections of the Governor, as provided by G.S. 120-29.1(c).

(d2) No bill required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina shall be so presented until the next business day after the bill was ratified, unless expressly ordered by that house where such bill was ordered enrolled. For the purpose of this section, a business day is a weekday other than one on which there is both a State employee holiday and neither house is in session. No bill required to be presented to the Governor under Article II, Section 22 of the North Carolina Constitution shall be recalled from the Enrolling Clerk or Governor after it has been ratified but before it has been acted upon by the Governor except by joint resolution.

(e) Repealed by Session Laws 1995, c. 20, s. 1.

(f) The enrolling clerk upon completion of duties after each session shall deposit the original bills and resolutions enrolled for ratification with the Secretary of State. (1969, c. 1184, s. 3; 1995, c. 20, s. 1; 1997-1, s. 1.)

#### **§ 120-34. Printing of session laws; numbering of session laws.**

(a) The Legislative Services Commission shall publish all laws and joint resolutions passed at each session of the General Assembly and the executive orders of the Governor issued since the adjournment of the prior session of the General Assembly. The laws and joint resolutions shall be kept separate and indexed separately. Each volume shall contain a certificate from the Secretary of State stating that the volume was printed under the direction of the Legislative Services Commission from ratified acts and resolutions and executive orders of the Governor on file in the Office of the Secretary of State. The Commission may publish the Session Laws and House and Senate Journals of extra and special sessions of the General Assembly in the same volume or volumes as those of regular sessions of the General Assembly. In printing the ratified acts and resolutions, the signatures of the presiding officers and the Governor shall be omitted.

The enrolling clerk or the Legislative Services Office shall assign to each bill that becomes law a number in the order the bill became law, and the laws shall be printed in the Session Laws in that order. The number shall be preceded by the phrase "Session Law" or the letters "S.L." followed by the calendar year it was ordered enrolled, followed by a hyphen and the sequential law number. Laws of Extra Sessions shall so indicate. In the case of any bill required to be presented to the Governor, and which became law, the Session Laws shall carry, below the date of ratification, editorial notes as to what time and what date the bill became law. In any case where the Governor has returned a bill to the General Assembly with objections, those objections shall be printed verbatim in the Session Laws, regardless of whether or not the bill became law notwithstanding the objections.

(b) All index references with respect to the session laws shall refer to the Chapter numbers of such laws in lieu of page numbers, and all index references to resolutions shall refer to the resolution numbers of the resolutions in lieu of page numbers, to the end that the indexes shall thereby be made consistent with the index to the General Statutes which refers to the section numbers and not to page numbers.

(c) There shall be printed not more than 2,500 volumes of the session laws and 600 volumes of the journals of each house of each session of the General Assembly, all of which shall be bound, and delivered to the Secretary of State for distribution by him under the provisions of G.S. 147-45, G.S. 147-46.1, G.S. 147-48 and other applicable statutes. (1969, c. 1184, s. 4; 1971, c. 685, s. 1; 1983 (Reg. Sess., 1984), c. 1034, s. 179; 1995, c. 20, s. 12; 1997-456, s. 45; 2001-513, s. 16(d).)

**§ 120-35. Payment for expenses.**

Actual expenses for the joint operation of the General Assembly shall be paid by the State Treasurer upon authorization of the President pro tempore of the Senate and the Speaker of the House of Representatives. Expenses for the operation of the Senate shall be paid upon authorization of the President pro tempore of the Senate. Expenses for the operation of the House shall be paid upon authorization of the Speaker of the House. (1969, c. 1184, s. 5; 1971, c. 1200, s. 6.)

**§ 120-36. Legislative Services Officer of the General Assembly.**

(a) The Legislative Services Officer of the General Assembly shall be appointed by and serve at the pleasure of the Legislative Services Commission, and his compensation shall be fixed by the Legislative Services Commission.

(b) The Legislative Services Officer of the General Assembly shall perform such duties as are assigned to him by the Legislative Services Commission and shall be available to the Legislative Research Commission to provide such clerical, printing, drafting, and research duties as are necessary to the proper functions of the Legislative Research Commission. (1969, c. 1184, s. 6.)



## LEGISLATIVE PAY AND ALLOWANCES

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All salary, expense allowance, travel allowance, and subsistence amounts referred to in this section are effective January 1, 2007 and are set forth in NC General Statutes 120-3 and 120-3.1.

**Salary:** The Speaker of the House of Representatives and the President Pro Tempore of the Senate receive a salary of \$38,151 per year. The Speaker Pro Tempore of the House and the Deputy President Pro Tempore of the Senate receive a salary of \$21,739 per year. The majority and the minority leaders of both houses each receive a salary of \$17,048 per year. All other members of the General Assembly receive an annual salary of \$13,951. The salaries are payable monthly on the last working day of the month. Because the salary of a legislator is set by Statute our Financial Services Office cannot honor a request by member to withhold a portion of his/her salary.

When the General Assembly is in session, the salary checks/direct deposit advices are placed in the legislators' mailboxes in the Mail Rooms (Room 2 in the basement of the State Legislative Building or in Room 102 of the Legislative Office Building) on the last workday of each month. When the General Assembly is not in session, the salary checks/direct deposit advices are mailed on the last working day of each month to the legislator's home district mailing address.

Terms of newly elected legislators begin on January 1 of odd-numbered years, and salaries begin as of that same date.

State and federal income taxes, social security, and retirement are deducted from the monthly salary checks. Payments to legislators cannot commence until the necessary withholding forms are completed.

**Expense Allowance:** The Speaker of the House of Representatives and the President Pro Tempore of the Senate receive a \$1,413 per month expense allowance. The Speaker Pro Tempore of the House and the Deputy President Pro Tempore of the Senate receive an \$836.00 per month expense allowance. The majority and minority leaders of both houses each receive a \$666.00 per month expense allowance. All other legislators receive an expense allowance of \$559.00 per month.

This allowance is paid both during session and between sessions, without the legislators having to file any record of expenses. The allowance is provided to cover legislative expenses the legislator may have that are not paid for by the General Assembly.

The expense allowance is paid at the same time and in the same manner as is the legislative salary. The salary and expense allowance are combined in a single check/direct deposit paid at the end of the month. Both the salary and expense allowance are subject to state and federal income tax, social security, and retirement.

**In-Session Subsistence Allowance:** During the time the General Assembly is actually in session, each legislator receives a subsistence allowance of \$104.00 per day. This amount is paid for each calendar day of the session (seven days per week, or a total of \$728.00 per week for each full week of the session). Subsistence paid to legislators who reside 50 or fewer miles from the State Capitol is taxable for federal, state, and social security taxes.



It is not necessary that the legislator files a claim or submits any record of expenses in order to receive this allowance during the session. If a legislator wishes not to be paid for a particular day of the session, the Financial Services Office must be notified in writing by means of a "Member's Waiver of Subsistence and Travel Form." This form is available on the NCGA intranet site under "Financial Services Forms and Info" under the EMPLOYEE tab.

The subsistence and travel allowance checks or remittance advices are placed in the legislator's mailbox every Thursday. The period covered by this payment will be the previous week's subsistence through the Thursday payday..

**In-Session Travel Allowance:** During sessions of the General Assembly, each legislator receives a weekly travel allowance amounting to 29 cents per mile for one round trip between the legislator's home and the Legislative Building in Raleigh. This allowance is paid each week regardless of the number of actual trips made. The travel allowance is paid each Thursday and is included with the weekly in-session subsistence allowance. All travel allowance paid to legislators who reside 50 or fewer miles from the State Capitol is taxable for federal, state, and social security taxes. If a legislator chooses not to be paid for travel for a particular period, the Financial Services Office must be notified in writing by means of a "Member's Waiver of Subsistence and Travel Form." This form is available on the NCGA intranet site under "Financial Services Forms and Info" under the EMPLOYEE tab.

**Interim Travel and Subsistence Allowance:** Between sessions, a legislator may travel as a representative of the General Assembly or its committees or commissions. Such travel may be to a meeting in Raleigh or in some other in-State city, or it may be to attend an out-of-state meeting. If the legislator expects to receive any subsistence or travel allowance for such travel, he must obtain the prior approval of the Legislative Services Commission. The chairman of a committee that wishes to meet in North Carolina may obtain the approval for the entire committee. If granted, individual committee members need not then obtain individual approval for that meeting.

In the absence of this kind of group approval, or if a meeting is to be held out of state, prior approval must be obtained by each legislator who wishes to attend. Requests for approval are made directly to the President Pro Tempore (for Senate members) or Speaker (for House members) using the "Travel Authorization Form." This form is available on the NCGA intranet site under "Financial Services Forms and Info" under the EMPLOYEE tab. The President Pro Tempore's office or the Speaker's office will forward an approved copy of the authorization and any related registration or travel requirements to the Financial Services Office.

**Advance Registration Payments** – Any member who has a registration fee that needs to be paid in advance for any type of meeting or conference should submit to Financial Services a completed registration form with the proper travel authorization. A check will be mailed directly to the appropriate location unless Financial Services is directed to do otherwise.

When out-of-state travel is involved, the legislator should deliver the completed Travel Reimbursement Form (also available on the Intranet) together with the hotel receipts, parking receipts, toll receipts, common-carrier ticket receipts, taxicab receipts, and personal automobile mileage to the Financial Services Office. A subsistence

allowance of a flat \$104.00 per day, regardless of actual expenses incurred, is authorized by statute for in-State travel.

A member who is authorized to travel to a high-rate geographical area outside of North Carolina may elect to receive in lieu of the \$104.00 subsistence allowance, a subsistence allowance for meals of \$26.00 per day and a subsistence allowance for lodging of actual lodging expenses not to exceed that allowed for high-rate geographical areas as designated by the Federal General Services Administrator and published at 58 Federal Register, 67950-67964 (Dec. 22, 1993) and at 59 Federal Register 23702-23709 (May 6, 1994), a copy of which is in the Legislative Services Office.

Any check issued through Financial Services will be generated through an overnight process, generally taking two to three working days. Financial Services does not have the on-line capabilities to generate same day checks.

**Interim Standing Committee Meetings:** Legislators receive no additional salary for attending interim committee meetings. Members of a committee who attend an officially scheduled committee or subcommittee meeting are entitled to receive \$104.00 per day subsistence plus 29 cents per mile for miles actually traveled.

The committee assistant submits to the Financial Services Office a committee reimbursement form signed by the legislator and committee chair indicating the appropriate number of days for which payment is requested plus the number of miles traveled. The Financial Services Office combines all of the requests for reimbursement received for the week from each legislator and issues a single check/direct deposit. It is not necessary that the legislator file a detailed expense accounting, as a flat subsistence allowance of \$104.00 per day will be paid regardless of actual meals and lodging expenses incurred.

## PERSONNEL/PAYROLL FORMS

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Before any payments can be made, the legislator must complete certain personnel and payroll forms. After the general election and upon certification of election by the Secretary of State, all General Assembly members will receive, from the Legislative Services Office, a packet that contains the following forms:

1. Certification form for mileage, Federal Internal Revenue Service Form W-4, and North Carolina Department of Revenue Form NC-4 (Employee's Withholding Exemption Certificates). The member should complete and sign each form.
  2. Employee Information Form--contains vital information necessary for personnel and payroll as well as vital emergency information.
  3. Automatic Deposit Form--for automatic deposit of the member's monthly paycheck and weekly Subsistence & Travel check. For a checking account, a preprinted voided check must be attached to the form if the member chooses to participate in direct deposit. For a savings account, a verification of the routing number and account number must be attached
  4. Legislative Retirement Enrollment Form--for enrollment in the Legislative Retirement System. All members of the General Assembly automatically become members of the Legislative Retirement Plan and the contribution to the retirement plan is deducted from the monthly salary check. The deduction is 7% of the member's salary. Members should complete the form designating beneficiaries in parts I and II and sign the form before a notary. (For further information on the Legislative Retirement System, see section under Benefits).
  5. Health Insurance Enrollment Form--for enrollment in the health insurance plan. (For further detail on the health insurance benefits, see section under Benefits). If a member chooses not to participate in this available plan, a waiver must be submitted.
  6. Dental Insurance Enrollment Form--for enrollment in the available dental insurance plan. (For further detail on the dental insurance plan, see section under Benefits). If a member chooses not to participate in the dental plan, a waiver must be submitted.
- NC FLEX Program Enrollment forms – for participation in the available plans. (For further details, see section under benefits). If a member chooses not to participate in the NC FLEX Program, a waiver must be submitted.

## BENEFITS

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**Legislative Retirement System:** The Legislative Retirement System is part of the package of benefits available to members of the General Assembly. A total of 7% of the monthly salary is deducted from the monthly salary and expense allowance check and is tax deferred until the member retires with the General Assembly. In addition, the State contributes 3.8% of the monthly salary and expense allowance.

Benefits of the Legislative Retirement System are explained in the booklet entitled "Your Retirement Benefits" which is provided. Further details of all retirement benefits such as service retirement, early retirement, disability retirement, and the death benefit are provided in the handbook. The death benefit protects a beneficiary if the member dies while a contributing member of the General Assembly and before the member is eligible for retirement. The death benefit payment equals the member's highest annual salary as a member of the General Assembly, not to exceed \$15,000, after completion of one year of creditable service. A copy of the handbook should be kept with other important records as it contains important information concerning this benefit.

**Health Insurance:** Members of the General Assembly are eligible to enroll in the statewide self-insured State Health Plan (SHP), NC SmartChoice Preferred Provider Organization (PPO) or the TriCare Supplement Program if eligible.

The State currently pays the full cost for the employee under the SHP and the PPO (Basic and Choice Plans); however, there is a small premium amount deducted for the employee only coverage under the PPO Plus Plan. Enrollment in the health insurance plan will be through completion of an enrollment application. Other family members may be covered under the plan with the additional cost being payroll deducted from the monthly salary check. Unless the member notifies the Personnel Office to do otherwise, the deduction made from the salary check will be tax deferred.

The TriCare Supplement plan provides TriCare beneficiaries additional coverage that pays 100 percent of the member's out-of-pocket covered costs. The State will pay the total individual premium cost. Other family members may be covered under the plan with the additional cost being payroll deducted from the monthly salary check.

Coverage will begin on February 1, 2007, if the necessary enrollment form is completed by the due date. Payroll deduction for additional family members will be made from the January salary check for coverage beginning February 1, 2007. Members or any eligible dependents that enroll after January 31, 2007, may be subject to a 12-month waiting period for preexisting conditions.

General Assembly members who are State retired must be enrolled in the active legislators' group while serving as a member of the General Assembly. If you are State retired, please notify the Personnel Office so that your health insurance can be properly coordinated.

The health insurance coverage will continue as long as the member remains a member of the General Assembly. If for some reason (other than retirement) membership in the General Assembly does not continue, continuation of the State Health Plan, the PPO or the TriCare Supplement is offered on a group basis through the Former Legislators' Group or the TriCare portable plan, whichever is applicable. There is no State contribution in that group; however, current rates and benefits at the time of continuation will be in effect.

**NC Flex Program:** Included in the NC Flex Program are several pre-tax programs available to state agency and university employees. The NC Flex Program is coordinated by the Office of State Personnel in order for employees of all agencies and institutions to participate. The pre-tax program offers an opportunity to save money on those benefits you want and need. These programs include a Supplemental Medical Plan, Health Care Spending Account, Dependent Day Care Spending Account, Vision Care Plan, Accidental Death and Dismemberment Insurance, Voluntary Term Life Insurance, a Cancer Plan, and Dental Plan. Premiums for the NC Flex Program are paid by the member.

- The Supplemental Medical Plan is for medical expenses not covered under another medical plan you may already participate in such as the State Health Plan, PPO, or TriCare.
- The Health Care Spending Account allows you to be reimbursed with pre-tax dollars you set aside to pay for medical, dental, vision or other health care expenses not reimbursed by a health plan. AON Consulting administers this plan. You must enroll in this plan each year.
- The Dependent Day Care Flexible Spending Account allows you to be reimbursed with pre-tax dollars you set aside for childcare (under age 13) or dependent adult care expenses that allow you to continue to work. AON Consulting administers this plan. You must enroll in this plan each year.
- The Vision Care Plan provides discount plans on eye exams, eyewear and contact lenses. Two levels of insurance are available with both offering in-network and non-network benefits. This plan is administered by Superior Vision Services.
- The Accidental Death and Dismemberment Insurance (AD&D) plan pays a benefit if you suffer a loss as the result of a covered accident while you are insured. It also pays a benefit if you suffer certain disabling injuries while covered. This plan is offered by UNUMProvident Corporation.
- The Voluntary Term Life Insurance helps provide financial security for your family. This plan pays a benefit to your beneficiaries if you die while covered under the policy. This plan is offered by ReliaStar Life, a member of ING.
- The Cancer insurance helps to pay for cancer related expenses as well as 29 other specified diseases. You can choose from two plan options depending on your cancer insurance needs. This plan is provided through Allstate Workplace Division.
- The Dental Insurance Plan gives you the advantage of dental coverage with pre-tax savings. The Plan offers a high and low option so you can choose what is best for you. This plan is administered by Pacific Dental Benefits.

With each of the plans, contributions must be payroll deducted from a member's salary check before federal, state and social security taxes are computed. Enrollment in any of the plans must be completed by January

31, 2007 to be effective February 1, 2007. Contact the Personnel Office at (919) 715-1210 for more information and applications.

**Dental Insurance available through Blue Cross and Blue Shield at Post-Tax:** Members of the General Assembly are eligible to enroll themselves and family members in the post-tax dental insurance plan offered through Blue Cross/Blue Shield with the member paying the full cost of the premium by payroll deduction.

Coverage will begin on February 1, 2007, if the necessary enrollment form is completed by the due date. Because there is a 60-day enrollment period for the dental plan, if the enrollment form is not received in time for February 1 coverage, the member may still enroll in the dental plan with an effective date of March 1 as long as the enrollment is within the 60-day enrollment period. If the member or eligible dependents do not enroll during the time specified, there is no provision to enroll at a later date unless an open enrollment period is offered. At the present time, there is no continuation plan available for the dental insurance except through COBRA continuation.

**401K:** The Supplemental Retirement Income Plan of North Carolina (State 401K) is a tax-deferred investment program sponsored by the State of North Carolina and administered by Prudential Retirement. A deduction can be made from a member's monthly salary check for participation in this plan, if the member is actively contributing to any of the State of NC Retirement Plans. Information on the plan and contact telephone numbers may be obtained from the Personnel Office. Enrollment applications and brochures may be obtained from the Personnel Office. If further information on the plan is required please contact Prudential Retirement at 1-866-624-0151.

**Deferred Compensation:** The North Carolina Public Employee Deferred Compensation Plan is a means of deferring pretax dollars. The plan, created by State statute, is overseen by a Board of Trustees who has contracted with Great-West Life to administer the plan. Deduction can be made from a member's salary check for participation in this plan. Enrollment applications and brochures may be obtained from the Personnel Office. If further information on the plan is required, please contact Great-West Life directly at 1-888-600-2763.

**Liability Insurance:** Each member of the General Assembly is provided with liability insurance at no cost to the member.

**Workers' Compensation:** As a member of the General Assembly, a compensable injury sustained at work would be covered under the Workers' Compensation Act. An injury should be reported immediately to the General Assembly Police. Any questions pertaining to procedures in filing a Workers' Compensation claim should be directed to the Personnel Office.



## ETHICAL CONSIDERATIONS FOR USE OF LEGISLATIVE OFFICES, MATERIALS, EQUIPMENT AND PERSONNEL

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To help guide legislators in the proper use of the benefits and privileges arising from their legislative position, the Legislative Ethics Committee has issued the following **ETHICAL PRINCIPLES AND GUIDELINES** and **ETHICS OPINIONS**, and the then cochairs of the Legislative Ethics Committee have issued the following advisory memo in 1998:

### ETHICAL PRINCIPLES AND GUIDELINES

- (1) It is inappropriate to use excessively the State Telephone Network, the legislative computer system, and other State equipment for personal and business reasons. These services and this equipment shall be used primarily for legislative purposes rather than personal and business purposes.
- (2) A legislator shall not use his mailing privileges to mail personal or nonlegislative business related correspondence.
- (3) A legislator shall not copy or have copied nonlegislative materials using State equipment in the Legislative Printing Office; provided that a legislator may copy nonlegislative materials on the duplicating machines if he or she reimburses the Legislative Disbursing Office for the cost of that duplication.
- (4) A legislator mentioning or permitting another to mention the legislative office he or she holds in commercial advertising would improperly take advantage of the confidence and respect accorded that office and that action would therefore be unethical.
- (5) It is inappropriate for any legislator to use or allow another to use his official legislative stationery paid for by the State for soliciting campaign contributions to or thanking contributors to the legislator's political campaign. A legislator may use a facsimile of the legislator's official legislative stationery in soliciting campaign contributions or thanking contributors to the legislator's political campaign as permitted under paragraph (6) of these Ethical Principles and Guidelines.
- (6) When a legislator uses a facsimile of his or her stationery for non-legislative purposes not prohibited under these Principles and Guidelines, the facsimile shall bear a clear disclaimer indicating that the stationery was not printed or mailed at State expense.



## ETHICS OPINIONS

### Use of Legislative Stationery and Postage

*(Also see Ethical Principles and Guidelines (2), (3), (5), and (6) above.)*

#### OPINION 010

**Question:** May a legislator use official legislative stationery to request advice of others in the same profession on legislation affecting that profession and to urge the professionals to join a PAC?

**Opinion:** A legislator may use official legislative stationery to request the advice of others in the same profession on legislation. A legislator may not use official legislative stationery to urge anyone to join a PAC but may use a facsimile of the stationery if the stationery bears a clear disclaimer that indicates that the stationery was not printed or mailed at State expense.

#### OPINION 011

**Question:** May a legislator use official legislative stationery to solicit support from lobbyists for a social event for the members and staff of the General Assembly?

**Opinion:** A legislator's stationery may not be used for this purpose. A legislator may use a facsimile of the legislator's official stationery for this purpose if the facsimile bears a clear disclaimer that it was not printed or mailed at State expense

#### OPINION 012

**Question:** May a legislator reproduce a letter soliciting support for an environmental organization on legislative stationery if the costs of reproducing and mailing are paid by the organization?

**Opinion:** The Ethical Principles and Guidelines [set forth above] limit the mentioning of legislative status *only* in commercial advertising.

#### OPINION 013

**Question:** May a legislator use legislative stationery and postage to (1) send letters of sympathy to constituents who have a death in the family; (2) send letters to constituents who do something outstanding or achieve a great accomplishment; and (3) send letters of appreciation to individuals and groups of constituents who have invited the legislator to speak?

**Opinion:** It is appropriate to use legislative stationery and postage to send letters of sympathy and letters of congratulations to constituents.

There is no problem with using legislative stationery and postage to send letters to individuals and groups in appreciation for invitations as long as the correspondence neither solicits nor thanks campaign contributors for their contributions.

## Use of State Telephones and Mailing Privileges

*(Also see Ethical Principles and Guidelines (1) above.)*

### **OPINION 016**

- Question:
- (1) May a legislator use the State telephone for personal and business calls as long as reimbursement is made for those calls?
  - (2) May a legislator mail personal and business mail through the legislative post office as long as the legislator supplies postage?

Opinion: The Committee promulgated the Ethical Principles and Guidelines [set forth above] mindful of the part-time service of citizen/legislators.

- (1) The guideline regarding use of the State telephone network leaves to the individual legislator's discretion and sense of propriety the determination of excessive use of the telephone for personal and business-related communications.
- (2) Anyone may use the legislative post office through which they may deposit stamped personal or non-legislative, business-related mail. The guideline speaks to use of legislators' mailing privilege of sending official correspondence using postage supplied by the State only.

### **OPINION 017**

Question: May a legislator use the State telephone to make calls to the legislator's personal home and business telephones and answering machines to retrieve messages and concerns from constituents?

Opinion: This use of the State telephone system constitutes conducting appropriate legislative business.

## ETHICS COMMITTEE COCHAIRS ADVISORY MEMORANDUM

October 1, 1998

**TO:** Members of the General Assembly

**FROM:** Representative Julia C. Howard  
Senator Howard N. Lee,  
Legislative Ethics Committee, Co-chairs

**RE:** The Use of Legislative Office, Materials, Equipment and Personnel in Campaigns for Elective Office.

We, as cochairs of the Legislative Ethics Committee, have been asked for guidance about the appropriateness of the use of legislative office equipment, facilities, and personnel in campaigns for public office. No request for a formal opinion has been made of the Legislative Ethics Committee. We put forth below our personal thoughts for your reflection and appropriate action regarding individual campaigns of elective office.

We believe that a legislator's campaign activities should not be conducted in the legislator's State supplied office or using State equipment, facilities, materials, or personnel. For purposes of this discussion "campaign activities" would include, but not be limited to, soliciting or receiving campaign contributions, preparing campaign literature, arranging or inviting individuals to campaign events, and urging people to vote for a particular candidate.

The Legislative Ethics Committee has issued the following guideline regarding the use of State equipment:

*It is inappropriate to excessively use the State Telephone Network, the legislative computer system and any other State equipment for personal and business reasons. These services and this equipment shall be used for legislative purposes rather than for personal and business purposes.*

The North Carolina Constitution (Article V, § 2(1)) requires that State taxes and State expenditures be for a public purpose. The State Personnel Act prohibits political activity by most State employees while on duty and those employees from using State funds or equipment in political campaigns (GS 126-13). Legislative officers and employees, among others, are exempt from that provision (GS 126-5(c1)(3)).

We do not believe that the furthering of any individual's candidacy for political office is a public purpose for which State funds may be constitutionally expended. That legislative employees are exempt from the provisions of the general law restricting their political activity during duty hours, does not make such activity either constitutional or ethical. The legislative assistant and secretary are directly responsible to a legislator. They are State employees paid from public funds. Although the individual member is responsible for insuring the hours the legislator's assistant works, the assistant is paid by the State for a 40-hour workweek. As such, a member's assistant or secretary should not engage in campaign activities during office hours.

We could not and would not seek to restrain the voluntary political activity of legislative employees after office hours and outside of the legislative office. We believe that the Legislative Ethics Committee would be similarly reluctant to do so.

We understand that a legislative office may be the site of occasional and non-substantive campaign activities. These activities may involve the incidental use of State equipment, facilities, or

materials, or the incidental participation by an assistant or secretary. An example might be answering the inquiry of an incoming caller about the time and place of a campaign event for the member. In our opinion, these occurrences are not unethical as long as the action taken:

1. responds to, rather than initiates, the outside inquiry;
2. is an incidental, rather than a regular or substantial, part of the functioning of the legislator's office; and
3. does not result, other than to a trivial or unascertainable extent, in additional costs to the State.

So as to guard against the possibility that campaign material might initiate the conducting of a campaign from a legislative office, we think that a member's legislative office address and phone number should not be advertised as connected with or associated with the campaign. The distribution of campaign material, that is already printed for the 1998 campaign and that contains the member's legislative office address and phone number, is permissible.

We do not extend our analysis to campaigns for referenda or constitutional amendments. We hope that our thoughts help you in administering your legislative office.



## LEGISLATORS' OFFICES

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**Legislators' Offices:** Each member of the General Assembly is assigned a private office and is free to use the office as he or she chooses (subject to the limitations discussed in "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" section of this Manual (pages 19-23)). Office assignments are made for Senate members by the President Pro Tempore of the Senate and for House members by the Chairman of the Rules Committee. If the members wish to have furniture removed or added, they should so inform the Facilities Services Manager (733-0072). The Legislative Services Commission has ruled that office furnishings and equipment may not be removed from the Legislative Building or the Legislative Office Building. The North Carolina General Assembly is not responsible for the loss or damage of personal items members place in their offices.

1. **Hanging pictures.** Due to the material that the Legislative Building is constructed of, nails driven carelessly into these walls cause large holes which cannot be properly repaired and result in defacing the office. Legislators who wish to hang a picture or other object on the wall of their offices should call Building Maintenance (733-3321) who will see that the necessary hangers are properly installed.
2. **Floor covering.** Rugs are not provided by the General Assembly for legislators' offices in the Legislative Building. Members of the General Assembly who wish to provide their own rugs may do so if the rug is of the area type and does not have to be fastened to the floor with adhesive or nails. Carpet padding should be omitted in the arc of the door swing to decrease the amount of the door to be cut off. If it is necessary to cut doors off for carpet clearance, please notify Building Maintenance at 733-3321.
3. **Doors.** Signs identifying legislators and their county of residence are provided for each office door. No other signs, maps, or other materials may be affixed to the outer side of an office door.

**Office Keys:** Legislators obtain office keys from the General Assembly Police. If the legislator desires a key for his or her secretary, the secretary should go to the General Assembly Police Office, State Legislative Building, to sign for the key. The secretary should return the key to the General Assembly Police Office at the end of the session. A legislator who is not reelected for the next term should return his or her own key prior to January 1 next following the general election in November.

**Card Access:** Legislators obtain a North Carolina General Assembly photo ID card from the General Assembly Police. The legislator's NCGA photo ID card also serves as an access card for after-hours access to the State Legislative Building and the Legislative Office Building. Card readers are located outside the State Legislative Building at the right front door entering from Jones Street, the left back door entering from the bridge, and at each garage entrance. Card readers are located outside the Legislative Office Building at the left front door entering the second floor from Lane Street, the right front door entering the third floor from Halifax Mall and the first floor door

at the back of the building. A legislator who is not reelected for the next term should return his or her NCGA photo ID card prior to January 1 next following the general election in November.

**Use of Offices:** The legislative office is for the use of the legislator and staff persons authorized by the legislator. Members may have access to their offices at any day and hour.

In order to avoid unpleasant incidents and to improve building security, when the legislative buildings are closed, General Assembly Police personnel are instructed to evict from the legislator's office anyone (except for the legislator and his or her regular assistant) who does not have written authorization from the legislator to use the office after hours. Keys will be taken from unauthorized persons and returned to the legislator by security personnel.

## **PARKING**

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Members of the General Assembly are authorized to park in the following areas during sessions of the General Assembly:

1. Parking area under the Legislative Building.
2. Both sides of the portions of Lane Street, Jones Street, Wilmington Street and Salisbury Street that surround the State Legislative Building.
3. Designated area in parking deck 65 (in the lower level of the parking deck immediately behind the State Legislative Building). Your General Assembly ID card is required for entry into deck 65.
4. East side of Salisbury Street, immediately adjacent to the Legislative Office Building.

During interim periods, General Assembly members are authorized to park in the parking area under the State Legislative Building, in the designated area in Lot 65 as indicated above, or on either side of Lane Street. All parking is on a first come, first serve basis. There are no reserved parking spaces for General Assembly members except for the following: Speaker of the House, Speaker Pro Tempore of the House, President Pro Tempore of the Senate, Senate Deputy Pro Tempore, and Senate and House Majority and Minority Leaders. For questions or assistance regarding parking, contact Howard Morris at 733-4292 or any General Assembly Police Officer at 733-2159.

## **ACCESSIBILITY OF STATE LEGISLATIVE COMPLEX**

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The State Legislative Building and Legislative Office Building are accessible to legislators as well as lobbyists, constituents, and visitors who may be disabled. Parking facilities, entrances to the buildings, elevators, and restrooms are designed to accommodate persons with disabilities. In addition, the Legislative Building Library has a TTY (919-715-6755). Auxiliary aids and services (interpreters, electric cart, assistive listening devices, etc.) can be provided if requested 72 hrs. in advance by calling Beverly Adams in the Legislative Services Office at 733-7044.



## SECRETARIAL ASSISTANCE

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Each legislator is entitled to a legislative assistant and each committee chair is entitled to a committee assistant. The legislative assistant or committee assistant will work in the legislator's office. (In the interest of brevity, both committee assistants and legislative assistants are referred to as "assistants" in this Manual.)

**Selection of House Assistants:** The House Director of Legislative Assistants, under the supervision of the House Principal Clerk, handles the employment of House Assistants. Committee Chairmen and Representatives may select their own legislative assistants. Assistants are subject to discharge at any time by the Representative for whom they serve. The Representative may employ an assistant; notify the House Director of Legislative Assistants, who will initiate appropriate procedures with the Legislative Services Officer. The Representative may notify the House Director of Legislative Assistants of his independent selection and the Legislative Services Officer will employ that person if they are available. Finally, the Representative may request that the House Director of Legislative Assistants employ a qualified person on their behalf. In this instance, the House Director of Legislative Assistants will assign the best-qualified person available. Assistants generally are employed as of the opening day of a session. Assistants to major standing committees may be allowed to begin work at an earlier date, with the Speaker's approval.

**Selection of Senate Assistants:** The Senate Director of Legislative Assistants, under the supervision of the Senate President Pro Tempore, handles the employment of Senate Assistants. Committee Chairmen and Senators may select their own legislative assistants. Assistants are subject to discharge at any time by the Senator for whom they serve. The Senator may employ his or her own assistant; notify the Senate Director of Legislative Assistants, who will initiate appropriate procedures with the Legislative Services Officer. The Senator may notify the Senate Director of Legislative Assistants of their independent selection and the Legislative Services Officer will employ that person if she is available. Finally, the Senator may request that the Senate Director of Legislative Assistants employ a qualified person on their behalf. In this instance, the Senate Director of Legislative Assistants will assign the best-qualified person available. Assistants generally are employed as of the opening day of a session. Assistants to major standing committees may be allowed to begin work at an earlier date, with the approval of the President Pro Tempore.

**Qualification of Assistants:** When an assistant is hired by or at the request of a legislator, that legislator vouches for the employee's qualifications. When an assistant is hired and assigned by the appropriate Director of Legislative Assistants, the Director will check the employee's qualifications.

**Pay of Assistants:** Employees of the General Assembly are paid according to classifications and schedules adopted by the Legislative Services Commission based on a 40-hour workweek. Each assistant will be classified by the Legislative Services Office and paid according to the appropriate schedule.

**Working Hours:** The member, based on his or her needs and the 40-hour work schedule, determines the normal working day for committee assistants and members' legislative assistants. During session, temporary employees are expected to work on holidays if the holiday is not observed by the General Assembly. Temporary employees are not expected to work on those holidays observed by the General Assembly. Temporary employees who work holidays will receive compensation for time worked in addition to the earned holiday pay. Temporary employees earn holiday pay by working one-half day more than half the work days in the month.

Each legislator is responsible for ensuring that their assistant works the proper number of hours. Legislators may adjust their assistant's work schedule to meet his or her own special work needs. Legislators should be aware that if some assistants are granted special schedule privileges and others are not, morale problems result. If a legislator allows his or her assistant to come in later on Monday, or leave early on Friday, the legislator should not call on other staff for assistance in their assistant's absence. Any absences should be reported to the Director of Legislative Assistants so that proper adjustments of pay can be made.

**Control and Supervision of Assistants:** Each legislator has control over the selection, supervision and retention of his or her legislative assistant. No assistant will be assigned any work or duty by any other person without the approval of the legislator for whom the assistant works.

The House and Senate Directors of Legislative Assistants assist in the hiring, assigning, and training of assistants. The Directors are available to advise assistants as to proper procedures and techniques for handling legislative business.

If an assistant is absent, the assistant or the legislator concerned should notify the appropriate Director and substitute services will be provided. An assistant who knows that he or she will be absent during scheduled hours should notify the appropriate Director of Assistants in advance. Whenever substitute service is necessary because of the absence of an assistant, the Legislative Services Office is instructed to deduct an appropriate amount from the absentee's salary. Assistants who are eligible to earn vacation and sick leave and have accumulated leave while employed by the General Assembly may use this leave when absent. Any substantial deviation from these general rules is subject to approval by the President Pro Tempore of the Senate or the Speaker of the House of Representatives.

**General Policies Governing Assistants:** In order to minimize morale problems among the assistants and other temporary employees of the General Assembly, the Legislative Services Commission requests that all legislators enforce certain general rules. These rules are discussed with assistants in each house at the beginning of the session by the Director of Legislative Assistants, and the Director is required to call violations to the attention of the assistant concerned; this function is designed to assist, and not to interfere with the legislator's control over his or her own assistant.

The general rules follow:

1. Working hours are determined by the member with one hour for lunch. This schedule is subject to variation by the individual legislator, but the total time devoted to legislative service by the employee should be based on 40 hours per week.

2. One of the primary duties of an assistant is to act as receptionist for the legislator served. Assistants should stay in their offices except when moving about in performing their duties.

3. With the approval of the legislators concerned, assistants may assist each other at times when the workload of one is great, and the workload of another is slight.

**Interim Clerical Services:** Members are authorized clerical assistance during the interim by the Speaker of the House or the President Pro Tempore of the Senate.

**Limitation on Use of Assistants:** See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 19-23).

## OFFICE ALLOWANCE

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Each member of the General Assembly is allowed a combined total of \$2,275 for a two-year term for long-distance telephone charges, faxes, postage, letterhead/envelopes and business cards used for the member's official legislative business. All long-distance calls made from a member's office telephone, calls made using the State Telephone Network Credit Card, all faxes sent from a Legislative fax machine, and all postage used for mailing from the member's Legislative Building/Legislative Office Building office will be charged against this allowance. Additionally, member letterhead and envelopes along with business cards are charged against this allowance. Other than those listed above, no other items or services can be purchased with the Office Allowance. See discussion below about each item covered with this allowance.

A monthly accounting of the allowance will be sent showing charges and balance of the allowance. If the member exceeds the \$2,275 allowance, an invoice will be sent for the amount used over the allowance.

Allowances not used are not transferable to another legislator's account and are not transferable to a member's next two-year term upon reelection. The Legislative Services Officer has been directed not to make such transfers, and the Legislative Services Commission requests that legislators not apply for such transfers.

### **TELEPHONE**

Each legislator has a private telephone, equipped with two lines in his legislative office, which remains connected at all times. In addition, during the session a telephone switchboard center is located on the first floor in room 1401 in the State Legislative Building. The telephone number of this center is (919) 733-4111. The center is operated during normal business hours. Incoming calls to the center number reach a switchboard operator, the operator will ring the legislator's office, or will take and deliver a message if the office telephone does not answer. Calls to the legislator's individual private number do not go through the telephone center switchboard.

The charge for local telephone service is paid by the General Assembly. Therefore, only charges for long-distance telephone calls will be charged against the legislator's Office Allowance. If a member desires a private telephone line to be installed in the legislative office, assistance can be arranged by contacting the Information Systems Division (ISD) Help Desk at 715-7825 (Note: If a legislator elects to have a private line installed, he/she will be billed directly by the telephone company. The member shall not charge the cost of the private line to his/her Office Allowance.)

*Helpful hints on use of the State Telephone Network (STN):*

1. The State Telephone Network (STN) is different from an ordinary WATS line. All long-distance calls made on the STN will be billed against the member's Office Allowance. The idea that this is a WATS line and that it makes no difference how many calls are made is erroneous.

2. In order to make a long distance call, dial "9" to get an outside line, then dial "1," the area code and the seven-digit phone number. To make a local (toll free) call dial "9," then the local seven-digit number. The only exception to local (toll free) calling is to Goldsboro, Grantham, Mount Olive and Olivia. For these locations, the caller must dial "1," the area code and the seven-digit phone number, just as with long distance; however, the call is toll free. Area codes for dialing toll free calls can be found on the NCGA Intranet homepage under "Employees/Financial Services Form and Info."
3. From the Legislative Ethical Principles and Guidelines adopted by the Legislative Ethics Committee "it is inappropriate to excessively use the State Telephone Network, the legislative computer system and any other State equipment for personal and business reasons. These services and this equipment shall be used primarily for legislative purposes rather than personal and business purposes." A member may choose to have a private line installed so as to assure the proper use of the State Telephone Network.
4. Each Member's State telephone line in their legislative office is equipped with Call Forwarding. You may Call Forward this line anywhere in the State. Regarding long-distance charges for call forwarding, the caller is responsible for the charge, if long-distance, from the location of the call to the member's office. However, the Member is responsible for the charge if the line is forwarded to a long-distance location. For further information on this option, call the ISD Help Desk at 715-7825.
5. A central voice mail service is provided for General Assembly Members through the telephone system. This voice mail service serves as a telephone answering system in legislators' offices. call the ISD Help Desk at 715-7825.for information regarding voice mail.

**Telephone Credit Card:** Each legislator is furnished a State Telephone Network Credit Card. This card enables a member to access the state telephone network 24 hours a day seven days a week from any touchtone telephone within the continental United States.

A considerable savings is realized by using the state telephone network credit card because charges are made at the same rate as those applicable to the telephone line in each member's office. Legislators making long-distance calls from his/her hotel room or other locations should use the calling card provided by the General Assembly. In order to use this service the legislator must follow the instructions printed on the credit card. The legislator should not dial the regular long-distance operator. Attempts to use the credit card through commercial long-distance procedures will fail.

Charges made on the telephone credit card will be charged against the member's Office Allowance.

**Facsimile Machine (FAX):** There are three FAX machines for use by General Assembly members. Actual long-distance telephone charges for the use of the FAX machines will be charged to the using member's Office Allowance. A legislator or his assistant should be present at the time of transmission to receive a confirmation of the transmission.

The FAX machines' locations and receiving numbers are:  
Room 107 Legislative Office Building, 919-733-3113  
Room 1430 Legislative Building 919-733-2599  
Room # 644 Legislative Office Building, 919-715-5815

If a member receives documents over the FAX, there is no charge and the member will be notified of the receipt of the document.

**Faxing Using Personal Computers:** Each Member is assigned a direct fax telephone number. Using this number, faxes may be sent directly to you and retrieved using your computer. The faxing software that is installed on your computer will also allow you to send documents that are stored in electronic format directly from your computer. Actual long-distance telephone charges will be charged to the member's Office Allowance when sending to a long-distance number. The Information Systems Division (ISD) will distribute the phone numbers and user documentation as soon as possible at the beginning of the legislative term. ISD will offer demonstration classes that you and/or your legislative assistant may attend.

**Limitation on Use of Legislative Telephone:** See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 19-23).

## **MAIL SERVICE AND POSTAGE**

The Legislative Mail Rooms are located in Room 2 in the basement of the State Legislative Building and Room 102 in the Legislative Office Building. The service windows in the Mail Rooms are manned from 8:00 a.m. to 5:00 p.m. daily during sessions.

**Incoming Mail:** The Mail Rooms are equipped with post office type mailboxes, one of which is assigned to each legislator. Incoming mail is not delivered to individual offices but is placed in the legislator's box. Once permanent office assignments have been made, the Mail Room Supervisor will give legislators the number and key to their mailbox.

**Outgoing Mail:** Outgoing mail must be bundled with the Legislator's Postage Authorization slip. This Authorization slip bears the name of the legislator, assistant or secretary, date, number of pieces of mail, and the legislator's assigned postage account number. Outgoing mail may be deposited in the Mail Rooms or in collection centers maintained in Room 2125 and in Room 2225 on the second floor of the State Legislative Building. Outgoing mail must be in the Mail Rooms no later than 4:00 p.m. in order to be posted the same day. Large mailings should be in the Mail Room earlier. Mailings received later than 4:00 p.m. will be processed the next workday.

Legislators and State Agencies may have printed materials placed in legislators' mailboxes. However, each piece of the material must either be in an envelope with the sender's name on it, or the individual material must identify the sending source.

**Postage:** Postage on outgoing official mail is paid from General Assembly funds. A postage meter interfaced to an electronic accounting system is used. There is no limit on the number of pieces mailed or cost per piece. However, once a member has used his/her Office Allowance for his/her two-year term, the Financial Services Office will begin billing him/her for postage. Unused allowances are not transferable to another legislator's account and are not transferable to a member's next two-year term upon reelection.

Personal mail of both the legislator and his/her assistant or secretary should be stamped. Stamps may be purchased at the service window at the Mail Rooms.

When an unstamped envelope bearing a legislator's name and accompanied by an Authorization slip is deposited in one of the collection locations for outgoing mail, the legislator thereby certifies that the envelope contains official legislative business.

**Returned Mail:** A substantial number of letters are returned to the Mail Rooms by the United States Post Office, frequently marked "Address Unknown", or with some similar notation. This mail will be returned to the sender by placing it in his/her box. Returned mail will be opened to identify sender if sender is not identified on the envelope.

**Registered Mail and Certified Mail:** By arrangement with the United States Post Office, the Mail Rooms pick up registered and certified mail. A notice of such mail is placed in the legislator's box and delivery is made at the service window.

**Interim Mail:** Between sessions, all mail will continue to be delivered to the individual legislator's Mail Room mailbox. If directed by the member, first-class mail will be forwarded to the member's home address. A reminder will be forwarded to all members before the end of each session.

**Interim Postage:** Legislators are expected to use their Office Allowance to pay postage for any individual mailings during an interim period. Assistants for interim legislative committees who prepare mailings from Raleigh will transmit the material to the Mail Rooms where it will be processed through a postage meter and charged to the appropriate committee account.

**Express Mail Service:** Legislators on occasion wish to ship materials or have staff send materials to them via Federal Express, UPS, United States Postal Service (USPS) Express Mail, etc., in order to insure next-day delivery. Official legislative materials can be mailed in this manner with charges for these services being charged against the legislator's Office Allowance.

**Limitation on Use of Legislative Postage:** See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 19-23).

## **LETTERHEAD/ENVELOPES AND BUSINESS CARDS**

**Letterhead/Envelope:** At the beginning of session, legislators are provided with 500 sheets of letterhead bearing the Senate or House designation and the legislator's name and district. In addition, 500 envelopes showing Senate or House designation and the legislator's name are also provided. This initial supply of letterhead and envelopes is not charged against the allowance.

As soon as committee appointments have been completed, each legislator should have his legislative assistant prepare and/or correct the letterhead and envelope template and e-mail it to the purchasing agent in the Financial Services Office showing committee assignments. Letterhead and envelopes are produced by Correction Enterprises. It is recommended that the initial order be for 1,000 pieces of letterhead and 1,000 envelopes. Further orders for letterhead and/or envelopes should be placed with the Financial Services Office in the same manner.

The North Carolina General Assembly does not provide engraved letterhead.

If more letterhead and/or envelopes are required and the member allowance is exhausted, additional will be ordered and the member will be billed.

The following ethical principles and guidelines, issued by the Legislative Ethics Committee, relate to mailing privileges and use of official legislative stationery:

- A legislator shall not use his mailing privileges to mail personal or non-legislative business related correspondence.
- It is inappropriate for any legislator to use or allow another to use his official legislative stationery, paid for by the State, for soliciting campaign contributions to or thanking contributor to the legislator's political campaign. A legislator may use a facsimile of the legislator's official legislative stationery in soliciting campaign contributions or thanking contributors to the legislator's political campaign as permitted in the next paragraph.
- When a legislator uses a facsimile of his or her stationery for non-legislative purposes not prohibited under these principles or guidelines, the facsimile shall bear a clear disclaimer indicating that the stationery was not printed or mailed at State expense.

For further discussion on limitations on use of a legislator's letterhead and envelopes, see "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 19-23).

Letterhead and/or envelopes ordered through the Financial Services Office cannot be ordered bearing the "not printed at government expense" disclaimer although the legislator may desire to pay for the letterhead and/or envelopes. Because the letterhead/envelopes are printed at a much cheaper cost than would be charged in the open market, the disclaimer would not, in fact, be a true statement. Legislators are requested to purchase any letterhead/envelopes bearing "not printed at government expense" from a private vendor.



**Business Cards:** Business cards are also covered by the member's Office Allowance. Contact the purchasing agent at 733-7500 in the Financial Services Office for information concerning the ordering of business cards. If more business cards are required and the member allowance is exhausted, additional cards will be ordered and the member will be billed.

## **DICTATING EQUIPMENT**

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Every legislator who desires it will be provided with dictating equipment by calling Fred Williams, Inventory Control Assistant, (Telephone 856-3173). Dictating equipment should not be removed from the legislative buildings.

## **PRINT SHOP AND COPYING MACHINES**

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The Legislative Print Shop is located in Room 107 of the Legislative Office Building. Legislators and their assistants should use the Print Shop when 30 or more copies are required. The Print Shop should be used for copying official legislative materials only (no personal printing, i.e. letters to constituents, newsletters, invitations, etc.). According to the Legislative Ethical Principles and Guidelines, "a legislator shall not copy or have copied non-legislative materials using state equipment in the Legislative Printing Office; provided that a legislator may copy non-legislative materials on the duplicating machines if he or she reimburses the Financial Services Office for the cost of that duplication."

Color copying is not allowed, except for redistricting maps.

For less than 30 copies, legislators and their assistants should use the copying machines located in Room 644 in the Legislative Office Building or on the second floor of the State Legislative Building. Operators are there to assist you.

Copies for the public are made at a cost of 10 cents per page.



## INFORMATION SYSTEMS DIVISION

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The Information Systems Division (ISD) of the Legislative Services Office is located on the second and fourth floors of the Legislative Office Building. Dennis McCarty, the ISD Division Director's office is located in ISD's main office on the fourth floor, Suite 400. ISD can be reached at (919) 733-6834.

ISD provides the computer network, equipment, telephone services, and support for approximately 1,000 users of the NCGA Network including Legislators and all Staff of the General Assembly. The NCGA Network is a distributed processing system that supports office automation including bill drafting, bill status, electronic mail, financial and personnel systems, and redistricting GIS applications. The distributed processing system consists of a mixture of personal (desktop and laptop) and server-class computers connected by both a traditional wired network as well as a wireless network. In addition to providing support for the North Carolina General Assembly (NCGA) technical infrastructure, ISD staff also provides IT Legislative Analysis and Committee Support for both the Senate and House.

Members are provided with their choice of either a desktop or a laptop computer (please note that personal computer devices may not be attached to the NCGA Network). ISD offers training throughout the Session for members and staff on the basic use of the personal computers, office automation tools, the Internet, and Legislative Computer Applications.

Software training and support is also provided in the following areas: Bill Drafting and Research, Bill Status Tracking, Redistricting, Office Automation, Data Base Management, Telephone features and use, Security Awareness, and Access to the Internet. Training is ongoing with concentrated training offered at the beginning of each Session. ISD instructor-led training is offered on-site in the training room located on the 2nd floor of the Legislative Office Building.

Office automation is provided through the Microsoft Office Suite. These products include WORD for word processing, OUTLOOK for electronic mail and time management, EXCEL for spreadsheets, and POWERPOINT for presentation and graphs.

Access to the Internet is available from all personal computers when connected to the NCGA Network. ISD maintains two Web sites for the General Assembly. The General Assembly Internet home page ([www.ncleg.net](http://www.ncleg.net)) provides the status of bills, links to the North Carolina Statutes, Session Laws, and other general legislative information. It also provides a profile of each member. The second NCGA Web site is an Intranet site that is

available only to members and employees of the General Assembly. The Intranet site (<http://info.ncleg.net>) contains information of interest to members and employees of the General Assembly such as computer virus and security information, cafeteria menus, meeting schedules, training class information, and an electronic bulletin board for use by members and employees.

An electronic mail (E-mail) address is provided for each Member and staff person of the General Assembly. That address is: your computer sign-on name followed by "@ncleg.net." For example, Dennis McCarty's E-mail address is [dennism@ncleg.net](mailto:dennism@ncleg.net).

The following pages contain an index of the NC General Assembly Computer Policies and Procedures.

# **NORTH CAROLINA GENERAL ASSEMBLY COMPUTER POLICIES AND PROCEDURES**

November 2006

Securing and managing the NCGA technical environment is critical to the success of the North Carolina General Assembly. Recognizing this, the Legislative Services Commission has authorized the following set of Computer Policies and Procedures for all Members and Staff to follow when utilizing the North Carolina Computer Network. The most current version of the North Carolina General Assembly Computer Policies and Procedures is available on the NCGA Intranet at <http://info/policiescomputer/default.htm>.

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### **General**

- Authorized Users
- Authorized User's Access to Another Authorized User's Account
- Computer Network and Internet Use
- Custodianship of Legislator E-mail and other Electronic Documents
- E-mail - Official NCGA E-mail System
- E-mail Use
- End of Service and Revocation of Access
- ISD Staff Not Responsible for Text or Data Entry
- Legislative Drafting System Usage
- Removal of Equipment from Legislative Buildings
- Telephone - Official NCGA Telephone System
- Training as a Requirement for Receiving ISD Support

### **Hardware/Software**

- Computer Programs on the General Assembly's Personal Computers
- Personal Computer Equipment Assignments
- Software Use and Duplication

### **Security**

- Authorized Wireless LAN Access Points
- Computer Anti-Virus Software
- Computer Devices Attached to NCGA Network
- Computer Shutdown
- Electronic Files Stored on the NCGA Computer Network
- Network Perimeter Security
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### **Web Content**

- Digital Publishing of Photographs on NCGA Web Sites
- NCGA Internet Committee Information
- NCGA Internet Member Information
- NCGA Internet Web Site Management
- NCGA Intranet Web Site Management



## BILL DRAFTING

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**Bill Drafting Division:** The Bill Drafting Division of the Legislative Services Office is located in Room 401 on the fourth floor of the Legislative Office Building. The Division is staffed by a Director (Gerry F. Cohen), thirteen professional drafters, three permanent and one temporary secretarial employee, an enrolling clerk, and an assistant to the enrolling clerk. Legislators may present their bill-drafting requests to this office in person or by telephone (733-6660). If the legislator knows which drafter he wishes to talk with, he may call for that person. Otherwise, the secretary will refer the legislator to the drafter who specializes in the field affected by the requested draft. When all staff attorneys are temporarily occupied, the secretary will take the request and transmit it to the appropriate drafter as promptly as possible. A drafting request may also be sent by e-mail or FAX to the Director or to the staff attorney handling the subject matter area. E-mails are most helpful if any online constituent correspondence is forwarded also. Drafting requests and bills drafted are confidential within the Bill Drafting Division Office until the sponsoring legislator releases them. The enrolling office, which prepares enacted legislation for signature by the presiding officers and presentment to the Governor, is located within the Bill Drafting Division. Additionally, the Bill Typing and Proofreading Sections are located administratively with the Bill Drafting Division.

**Research Division:** The Research Division of the Legislative Services Office provides staffing support (broad range of legal and nonfiscal research, and drafting and redrafting of amendments and committee substitutes) to selected standing committees on a regular basis and, where requested, to conference committees. The Division also provides, subject to availability of personnel, a significant amount of initial drafting of bills where the subject matter concerns legislative procedure or internal legislative operations (creation of interim legislative study commissions and committees, modification of House or Senate rules, etc.) or other matters within the expertise of individual staff members. Drafting requests in these areas may be presented to the Director of Research (Terrence D. Sullivan, Room 545, Legislative Office Building; Phone: 733-2578). Research and drafting requests made to Research Division personnel are kept confidential under the provisions of the law on confidentiality of legislative communications.

### Other Bill Drafting Sources

**Attorney General's Drafting Division:** A legislator who has a bill to be drafted may present his/her request to Floyd M. Lewis, Revisor of Statutes and Assistant Attorney General (Old Education Building, Phone: 716-6800). A member of the Attorney General's staff will discuss the matter with the legislator, and a bill will be drafted.

Normally, a legislator should use the services of the Bill Drafting Division, Research Division, or the Attorney General's Office for bill drafting. There is, however, no requirement that those offices draft all bills. The legislator may do his/her own drafting, or he may turn to any other competent source.



## BILL PROCESSING

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**Preparation of Copies for Introduction:** The drafter provides the legislator with one or more copies of the finished bill draft. Sometimes these copies are not yet in the format required for introduction. In 1969 a computerized bill processing and printing system was first installed, with significant software upgrades in 1987 and 2000, and copies from computer-produced printouts are now delivered to the legislator for use as introduced copies. After approval of the draft by the legislator, the drafter will forward a copy to the Bill Typing Office (Room 104 on the first floor of the Legislative Office Building) for handling by the GARDS Bill Processing System. If the bill is drafted by anyone other than legislative staff members or the Attorney General's Office, the legislator must send the copy to the Bill Typing Office in Room 104 although legislative staff are available to review and comment on outside drafts. The bill is put into computer storage and proofread, and a corrected print is obtained. Forty-five copies of the print for House bills and 65 copies of the print for Senate bills are reproduced in the Printing Room (Room 107 on the first floor of the Legislative Office Building). The copies bear a large "D" in the upper right-hand corner to denote that the bill is a draft copy. An official bill jacket is prepared and affixed to one of the copies. All of these copies are placed in an envelope and delivered to the sponsoring legislator through the office of the Principal Assistant of the appropriate house; or on request, the Bill Typing Office will deliver bills directly to the sponsor. At this point, the text of the bill is still confidential insofar as the legislative staff is concerned. Computer operators, proofreaders, and printers are constantly cautioned and checked to make certain that the sponsor's confidence is not violated.

**Introduction:** Under the Senate and House rules, a bill is filed with the Principal Assistant's Office and given a number. In the House this filing constitutes introduction. On the next legislative day, the bill receives its first reading on the floor of the House. In the Senate the bill's presentation to the Senate is its introduction. The bill is given a number and is normally referred to a committee. The bill number, date of introduction, and committee reference are input into computer storage; and a new print with a large figure "1" in the upper right-hand corner of the first page is produced. A copy of this print is placed in the bill notebook of every legislator, and additional copies are available from the Printed Bills Office in Room 1430 of the State Legislative Building.

**Amendments:** As bills are amended in the house of origin, new engrossed prints are produced and distributed. Subsequent prints bear the figure "2", "3", etc., in the upper right-hand corner of the first page for easy distinction from earlier prints.

If a bill passes the house of origin, all amendments are routinely engrossed in a new print before the bill is sent to the other house. If the bill is amended in the second house, the amendments are not engrossed, except for some amendments to committee substitutes of the second house, as the bill must be returned to the house of origin for approval, not of the basic text, but solely of the amendments adopted by the second house.

If the house of origin concurs in the amendments, the bill is sent to the Enrolling Office.

**Conference Committee Reports:** If the house of origin fails to concur in the amendments approved by the other house, a conference committee is usually appointed to try to resolve the differences. This committee reports

back to both houses a recommended text without amendment. If the report is adopted in both houses, the bill is sent to the Enrolling Office. If the conferees fail to agree or if the report is rejected, new conferees may be appointed; and the conference process is repeated. However, if either house refuses to adopt the report of its conferees, no new conferees may be appointed.

**Enrollment and Ratification:** The Legislative Services Officer or his designee serves as Enrolling Clerk to the General Assembly. Bills for enrollment are sent to the Assistant Enrolling Clerk who checks the text for accuracy and then turns the copy over to the Bill Typing Office. The Bill Typing Office obtains a clean print of the final text. This print, called the enrolled bill, is submitted to the two presiding officers for their signatures. The signing of the enrolled bill by the presiding officers is the act of ratification. The signed copy is then transmitted by the enrolling office to the Governor, or filed directly with the Secretary of State depending on whether or not the Governor's signature is required.

**Identification and Status of Introduced Bills:** Members of the General Assembly and staff, and the public, have easy access to complete information on the identification, status, and legislative history of all current legislation being considered by the General Assembly. Any interested person may get information on the status of current legislation from the Bill Status (Video) System by calling, writing, or visiting the Bill Status Desk in the Legislative Library (Phone 919/733-7779; Room 2226 of the State Legislative Building), or online at <http://www.ncleg.net>.

A public terminal to access the status of bills is also located in the Printed Bills Office (Room 1430), or accessible on the Internet at <http://www.ncleg.net>.

## DISTRIBUTION OF PRINTED BILLS

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**Desk Copies:** As soon as a bill is introduced, a printing is ordered and is available the next morning. Copies of every new bill are collected each morning for each legislator by the Bill Distribution Center in Room 105 on the first floor of the Legislative Office Building. Each House secretary must pick up copies for her legislator and place the bills in the legislator's chamber notebooks. The Senate Sergeant-at-Arms will deliver bills to each Senator's office, and the secretary should prepare a daily bill notebook. If a House member desires an office file, he should notify the Bill Distribution Center in Room 105 of the Legislative Office Building, and the Bill Distribution Center will prepare for that member two sets of bills daily; the House member's secretary will maintain the bill books in both the chamber and the legislator's office.

**Bills for Committee Use:** A committee chairman may obtain such copies of bills as his/her committee needs by sending his/her assistant to the Printed Bills Room (Room 1430). To avoid last-minute congestion, assistants are urged to obtain committee copies of bills on the day following reference to committee and should hold them for later committee use.

**Additional Copies for Individual Legislators:** A legislator may obtain up to 50 additional copies of any bill for distribution to his/her constituents. If he requires a greater number, they will be provided to him/her; and he will be billed for their actual cost.

**Copies to Private Citizens:** Any person may obtain one free copy of any current bill by requesting it to the Printed Bills Room. Additional copies may be obtained at a cost of 10 cents per page. The Printed Bills Room will mail one free copy of any bill to any citizen who requests it.

The Legislative Services Officer has been instructed not to provide complete sets of all bills to private citizens or organizations.

**Copies to State Agencies and Institutions:** Any State office, agency, or institution will be supplied with three free copies of any bill in which the office has a particular interest. The Legislative Services Officer has been instructed not to provide complete sets of all bills - several thousand per session - to State offices. State offices that require more than three copies of any bill may obtain them at cost.

## LEGISLATIVE SERVICES STAFF DIVISIONS

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Legislative Services are centralized under the auspices of the Legislative Services Commission. The central staff is responsible for all legislative functions except session chamber support.

[A more complete directory of legislative staff is included in another publication prepared by the Legislative Services Office, the "General Assembly of North Carolina Telephone Directory." Copies are available through the Legislative Library.]

**Legislative Services Office**  
**Room 2129 Legislative Building - 733-7044**  
**George R. Hall, Jr., Legislative Services Officer**  
**Beverly Adams - Executive Assistant**

The Legislative Services Office, under the direction of the Legislative Services Commission, is responsible for overall staff policy and administrative matters. The **Legislative Services Officer** serves as chief staff officer for the Legislative Services Commission. The Legislative Services Office is composed of five divisions: Administrative, Bill Drafting, Research, Fiscal Research, and Information Systems. Each division has a director who directs and supervises the activities of the division. The Legislative Services Officer is available to members, officers, and staff for consultation and assistance in all matters relating to the operation of the General Assembly.

**Carolyn Jernigan, Personnel Officer – Room 5 Legislative Building – 715-1210**

The **Personnel Officer** and three supporting staff are available to members, officers and staff on all matters of personnel including compensation policy interpretation, staff recruitment, job classification, employee performance appraisal program, and employee benefits coordination. The Personnel Office updates personnel and human resource policy and procedures and recommends changes to the Legislative Services Officer as needed to stay current with Office of State Personnel policies. This office initiates the payroll process for all new employees. The official employee personnel files are maintained in the Personnel Office.

A brief narrative of the responsibilities of the five Legislative Services Office divisions follows:

**Administrative Division  
Tony Goldman, Director  
Room 202, Legislative Office Building - 733-2138**

**Wayne Hough, Printing Services Manager, 733-5990**

**Tiesha Pope, Internal Audit Manager, 301-1379**

**Wesley Taylor, Controller, 733-7500**

**Charles Weathersby, Facilities Services Manager, 733-0072**

**Jeff Weaver, Chief of Police, 733-2159**

**Steve Wiseman, Food Services Supervisor, 715-4806**

The Administrative Division staff is available on matters concerning financial services for General Assembly operations (i.e., budgeting, payroll, general accounting, retirement, and legislative staff leave records). The General Assembly police provide security for the legislative complex. In addition, building maintenance and services are among the division's responsibilities including housekeeping, food services, printing service and mailroom operations.

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**Bill Drafting Division  
Gerry Cohen, Director  
Room 401 LOB - 733-6660**

Primarily, the Bill Drafting Division provides assistance to legislators in the preparation of bill drafts and bill introductions. In addition to the director this division is staffed by legal analysts (primarily attorneys), and clerical staff. The enrolling, proofreading, and bill typing sections are located administratively within the Bill Drafting Division. The bill drafting process is further explained on page 43 of this Manual.

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**Fiscal Research Division  
Lynn Muchmore, Director  
Room 619 LOB - 733-4910**

The staff of the Fiscal Research Division provides all fiscal or budgetary information and options for funding, as required, for legislative members or committees. The staff of the division also prepares all actuarial notes and fiscal notes as required by General Statute or legislative rules. All requests made to the Fiscal Research Division personnel are kept confidential under the provisions of the law on confidentiality of legislative communications.

### **Information Systems Division**

**Dennis McCarty, Director**

**Room 400 LOB - 733-6834**

The Information Systems Division (ISD) supports the computer hardware, software and connecting network, as well as provides application support, trains and assists users, and manages the various databases that make up the legislative system and also the legislative telephone system. ISD also provides IT analysis and support to legislative committees.

Policies and procedures for access to the various applications on the computer system are set by the Legislative Services Commission. (See index on page 41 of this Manual).

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### **Research Division**

**Terrence D. Sullivan, Director**

**Room 545 LOB - 733-2578**

**Cathy Martin, Librarian - Room 500 LOB - 733-9390**

The Research Division of the Legislative Services Office is comprised of the Director, legislative analysts, staff attorneys, research assistants; library; and clerical personnel. The Division provides legal and non-fiscal research and library services to committees and members of the General Assembly. The Division also provides, subject to availability of personnel, a significant amount of initial drafting of bills where the subject matter concerns legislative procedure or internal legislative operations (creation of interim legislative study commissions and committees, modification of House or Senate rules, etc.) or other matters within the expertise of individual staff members. Research and drafting requests made to Research Division personnel are kept confidential under the provisions of the law on confidentiality of legislative communications.



## OTHER SERVICES

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The **Institute of Government**, located in Room 10 in the Legislative Building, which is part of the University of North Carolina at Chapel Hill, provides services to the General Assembly on a contract basis. The **Daily Bulletin**, which digests every bill and records the history of the progress of bills, is distributed by the Institute electronically. Several members of the Institute's staff, in areas such as motor vehicles or local government, provide regular or periodic services to legislative committees and to individual legislators.

With the approval of the Legislative Services Commission, the Legislative Services Officer is authorized to contract for and assign part-time professional assistance from the University or other sources.

A **Legislative Intern Program** is operated for the General Assembly (during long, odd-year sessions only) by the North Carolina State University Department of Politics. The Intern Program is under the direction and control of the Legislative Intern Program Council (Lt. Governor, Speaker, and Chairman of the North Carolina State University Department of Politics -- G.S. 120-56). The program provides staff assistance at the subprofessional level to select committee chairmen, legislative leaders, and individual legislators; and the interns receive political science and related instructions from North Carolina State University.



